

### Claim Amendments

This listing of claims will replace all prior versions, and listings, of claims in the application:

1. (Presently Amended) A color concentrate composition for polymeric materials comprising:
  - an essential amount of at least one colorant,
  - an essential amount of a compatible polymer, and
  - a wax binder, and
  - a functional compounding additive component selected from the group consisting of blowing agent, nucleators, activators which lower the activation temperature of the blowing agent, surfactants, plasticizers, flame retardants, fillers, fragrances, mold release aids, processing aids, biocides, and antistatic additives, anti-microbial agents, lubricants, and combinations thereof.
2. (Original) The composition of Claim 1, wherein the colorant is a dye, a pigment, or both.
3. (Presently Amended) The composition of Claim 1, wherein the composition further comprises a ~~blowing agent~~ a stabilizer or a UV absorber.
4. (Original) The composition of Claim 2, wherein the pigment is selected from the group consisting of inorganic pigments and organic pigments and has a mean particle size of between about 0.1 and about 100  $\mu\text{m}$ .
5. (Original) The composition of Claim 4, wherein the inorganic pigments and organic pigments are selected from the group consisting of iron blue zinc oxide, titanium dioxide, chrome yellow, carbon black, chrome orange, chrome green, zinc chromate, red lead, lethol red, azo type toners, phthalocyanines, aluminum hydrates, lakes, iron oxide, white lead, extenders, phosphotungstic acid toners, nickel titanate, antimony titanate, cobalt, sulfur-containing pigments, aluminum oxide, lithopane, ultraphone, lead chromate, cadmium sulfide, cadmium selenide, barium sulfate, azo pigments, anthraquinone, phthalocyanine pigments, acrylamino yellow,

magnesium oxide, chrome red, antimony oxide, zinc sulfide, magnesium fluoride and ground barytes.

6. (Original) The composition of Claim 4, wherein the pigments are selected from the group consisting of pearlescent, phosphorescent, and fluorescent pigments.

7. (Original) The composition of Claim 1, wherein the pigments comprise from about 5 to about 85 weight percent of the composition.

8. (Original) The composition of Claim 1, wherein the compatible polymer comprises from about 1 to about 90 weight percent of the composition.

9. (Original) The composition of Claim 1, wherein the binder is a wax selected from the group consisting of amide waxes, maleated ethylene waxes, maleated propylene waxes, microcrystalline waxes, oxidized waxes, paraffin waxes, petroleum waxes, polyethylene waxes, PTFE waxes, ethylene vinyl acetate waxes, wax esters, wax soaps, and polycaprolactone wax, and combinations thereof.

10. (Canceled)

11. (Presently Amended) A method of making ~~the~~ a color concentrate composition ~~of Claim 1~~, comprising the steps of:

- (a) mixing pigment and compatible polymer in a mixer;
- (b) adding binder when the temperature of the mixer reaches about 38°C;
- (c) continue mixing pigment, compatible polymer, and binder at a temperature below about 82°C to form a mixture; and
- (d) cold compressing the mixture in a mill without an external heat source to form particles.

12. (Original) The method of Claim 11, wherein the particles form by step (d) are pellets having a length ranging from about 0.0381 cm to about 2.54 cm and a diameter from about 0.0381 cm to about 0.0635 cm.

13. (Original) The method of Claim 11, wherein the particles are pellets having an aspect ratio of 1 to 3.

14. (Original) The method of Claim 11, wherein step (a) further includes mixing a blowing agent.

15. (Original) A method of using the composition of Claim 1, comprising the steps of:

(a) mixing the composition of Claim 1 with a base polymer with which the compatible polymer of the composition of Claim 1 is compatible; and

(b) melt blending the composition of Claim 1 with the base polymer to form a color compound.

16. (Original) The method of Claim 15, wherein the base polymer is selected from the group consisting of ABS resins prepared from acrylonitrile, butadiene and styrene; blends of ABS resins with thermoplastics; diene resins; resins prepared from acrylonitrile, butadiene, styrene and alpha methyl styrene; resins prepared from butadiene, styrene and methacrylic acid; resins prepared from acrylonitrile, butadiene, styrene and methyl methacrylate acetal copolymers; acetal resins; acrylic resins and modified acrylic resins; cellulosic plastics; mixtures of ethyl cellulose plastics and cellulose acetate butyrate; chlorinated polyether; fluoroplastics; phenoxy resins; polybutadiene resins; polycarbonates; polyolefins; copolymers of polyethylene with other materials; chlorinated polyethylenes; chlorosulfonated polyethylenes; ethylene vinyl acetate copolymer; ethylene acrylate copolymer; polyphenylene oxide; polysulfones; polystyrenes; styrene copolymers; vinyl chloride based polymers and copolymers; and combinations thereof.

17. (Original) The method of Claim 15, wherein the composition of Claim 1 comprises from about 5 to about 50 weight percent of the color compound.

18. (Original) The method of Claim 15, wherein the composition of Claim 1 further comprises a blowing agent.

19. (Original) The method of Claim 15, wherein the composition of Claim 1 further comprises a functional compounding additive component selected from the group consisting of nucleators, activators which lower the activation temperature of the blowing agent, surfactants, plasticizers, stabilizers, flame retardants, UV absorbers, fillers, fragrances, mold release aids, processing aids, biocides, and antistatic additives, anti-microbial agents and lubricants.

20. (Original) The method of Claim 15, wherein the compatible polymer of the composition of Claim 1 and the base polymer are thermodynamic stable and do not delaminate during processing.

10/763,538  
Nitzsche  
GAU: 1755

Respectfully submitted by:

June 17, 2004  
Date

John H. Hornickel  
John H. Hornickel  
Registration No. 29,393

PolyOne Corporation  
33587 Walker Road  
Avon Lake, Ohio 44012  
Telephone: 440-930-3317  
Fax: 440-930-1179  
John.Hornickel@PolyOne.com